

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

6 July 2016

Item: 7

Application No.: 15/03548/FULL

Location: St Lukes CE Primary School Cookham Road Maidenhead SL6 7EG

Proposal: Construction of new staff car park

Applicant: Mrs Hough

Agent: Mr Mustafa Chaudhary - Space Office Limited

Parish/Ward: Maidenhead Riverside Ward

If you have a question about this report, please contact: Nosheen Javed on 01628 796040 or at nosheen.javed@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposal is to provide 30 new staff parking spaces to the north-east side of the school on an area of land which is currently under used and does not form part of the playing fields. There is inadequate parking on site and this proposal would improve the existing situation, particularly as the school is currently using the car park at the adjacent vacant building St Edward's House, which would end when the building is used again. Therefore the total number of 34 parking spaces (4 existing spaces to remain) would be provided for staff on site. This significantly reduces the current short fall experienced at the site.
- 1.2 The walnut tree has limited amenity value and its loss would be compensated by replacement planting, which can be secured through a condition requiring a landscape scheme to be submitted prior to the commencement of the development. The proposal would be in compliance with saved policies of the Local Plan and the aims of the NPPF which seek to protect and improve community facilities. Consequently, planning permission is recommended, subject to conditions.

It is recommended the Panel grants planning permission subject to the conditions listed in Section 10 of this report, provided that Flood Risk Engineer is satisfied with the details to mitigate surface water drainage. OR

To refuse planning permission if the flood matters have not been resolved satisfactorily by the updated consultation response received by the Flood Risk Engineer.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises of St Lukes CE Primary School, located within the settlement of Cookham as designated in the Local Plan proposals map. The site is adjoined by residential dwellings to the north and east and St Joseph Church to the south. There is an area Tree Preservation Order (TPO) on the trees along part of the east boundary continuing along the rear boundary and further along the boundary adjoining Cookham Road. The site is accessed via the access along St Edward's House from Ray Mill Road West with pedestrian access from Cookham Road. Adkinsons Alley adjoins the eastern boundary of the site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to provide 30 staff car parking spaces in a new area to the front of the school building (nursery) in the north east area close to the rear boundaries of Nos. 4 and 5 The Hyde.

This section is a grassed area which is currently under used and does not form part of the playing fields. The car park would be constructed from a porous tarmac surface to reduce surface water run-off.

- 4.2 Five existing car parking spaces located in the eastern section would be removed and a turning area would be created to access the new parking bays. The existing four parking spaces in front of the school including one disabled space would be retained as part of this scheme.

Ref.	Description	Decision and Date
12/01540/FULL	Construction of a single storey front office extension and single storey resources room extension. Insertion of new doors to 3 classrooms and door and windows to a corridor.	Approved 16.07.12

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 7 (Requiring good design); Section 8 (Promoting healthy communities) and Section 11 (Conserving and enhancing the natural environment).

Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Highways/Parking issues
Local Plan	DG1, CF2	T5, P4

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- The principle of the development;
- The impact of the proposal on amenities of neighbouring properties;
- Impact on highways and parking and;
- Trees and Landscaping;

The principle of the development

6.2 In principle no objections would be raised to the proposed area for staff parking as there is inadequate on-site parking provision for the 45 staff (39 equivalent full-time)

6.3 The design and access statement states:

There are currently only 8 (including 1 disabled) car parking spaces on site for staff. There is temporary parking for 28 cars in the St Edward's House Car Park whilst that building is vacant. Once the temporary parking is no longer available, the school will be back to a situation of severely inadequate parking.

6.4 The proposed 30 parking spaces would be located on an under utilised area and would not occupy any part of the playing fields. There is inadequate parking on site and this will be an improvement to avoid on-street parking and causing inconvenience to other local residents. Therefore, the proposal would be in compliance with saved policy CF2 which seeks to improve and enhance existing community facilities.

The impact of the proposal on amenities of neighbouring properties

6.5 The site is well screened by tall trees along the boundaries adjoining the rear gardens of 1-5 The Hyde with garden depth of over 30 metres and a distance ranging from 11-19 meters would be retained to the flank boundary adjoining No. 24 Florence Avenue. A new 1.8 metre high close boarded fence would also be erected along this side securing the car park and preventing vehicles parking on the grass verge.

6.6 Paragraph 123 of the NPPF advises that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of a new development, and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

6.7 Whilst there would be more noise and disturbance to the rear gardens of the properties in The Hyde and No. 24 Florence Avenue from vehicles manoeuvring and car doors shutting, it is considered that the proposed car park would be a suitable distance away not to result in an adverse loss of the quiet enjoyment of the gardens of the neighbouring properties. Furthermore, there would not be an increase in the number of vehicles travelling along the existing access adjoining No. 5 The Hyde and in any case, a certain level of noise and traffic should be expected by the occupiers of properties in close proximity to the school. The car park would be a safe and secure area for cars which would not be directly visible from outside the confines of the site. As such, the proposal would be in compliance with saved policy DG1 of the Local Plan.

Impact on Highways and Parking

6.8 The existing access arrangements would remain unaltered as part of this application. It is unlikely that there would be an increase in the number of vehicle movements and on this basis the Highway Authority would not raise any objections to the proposal in terms of highway safety.

6.9 The Council's Car Parking Strategy requires 39 car parking spaces to be provided. 30 parking off-street parking spaces have been indicated on the proposed plan and would complement the existing 4 spaces located in front of the school building. There would be a shortfall of 5 spaces, which would be required to comply with the maximum parking standards.

6.10 The existing 28 car parking spaces would be replaced with 30 parking spaces (an increase in 1 space). Whilst this number of spaces does not meet the car parking standards, this is an existing use which does not propose an increase in staff or children, therefore the total number of 34 parking spaces on site would be considered to be acceptable in this situation. In the event that additional parking is required, parking spaces would be available in the existing temporary car park. The Highway Authority has raised no objections to the proposal as it would decrease the likelihood of on-street car parking within the local highway network but have recommended that the parking and turning is conditioned which gives the applicant the option to revise the parking and turning as required to create more parking facilities (see condition 7).

Trees and Landscaping

- 6.11 In order to implement the car park, T11 (Walnut) would need to be removed. Whilst this tree has merit, it is set back into the site and, as a result, its loss would not have a detrimental impact on the overall visual amenities of the site and surroundings. Therefore, tree planting is proposed to compensate for its loss that would complement both the development and the immediate landscape. This could be secured by a landscape condition to any grant of planning permission (see condition 4). Two other trees, T7 (Field Maple) and T10 are also proposed to be removed. These trees are already dead and therefore their loss would not be significant in the group of trees along the northern and eastern boundaries of the site.
- 6.12 The Council's Arboriculturist has raised no objections to the removal of the trees subject to the development being constructed in accordance with the tree protection measures within the submitted Arboricultural reports. It is considered that this could be conditioned in the event of planning permission being recommended (see condition 2). Therefore the proposal would be considered acceptable in this respect.

Other Material Considerations

Flooding/drainage

- 6.13 This particular part of the site does not lie within a flood zone, however given that the site area results in the application constituting major development and given that the hard-surfacing could result in flash flooding a suitable sustainable drainage system is required. The car park surface would be constructed from a porous asphalt to allow drainage and avoid any surface water run-off. The proposed development would use a geo-cellular modular soakaway unit. However the Flood Risk Engineer is concerned with the use of the soakaway as no details have been shown to indicate that it is feasible to use this method for drainage. The information has been sought from the Agent to address this issue and the method has been tested on site. An update would be provided at the next meeting.
- 6.14 Environmental Protection has not raised an objection, recommending informatives relating to dust control, smoke control and construction hours to safeguard the amenities of the neighbouring properties, which could be attached in the event of planning permission being recommended.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

No letters of objection were received from the **31** neighbouring properties directly notified or as a result of a site notice that was posted on **20th November 2015**.

Comment		Where in the report this is considered
1.	1 letter was received asking to be consulted when any tree works take place – this has been passed on to the School.	N/A

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	The Highway Authority welcomes any increase in off-street parking and turning as this would reduce the likelihood of on-street parking on the local highway network. No objections would be raised subject to the	See paragraphs 6.8-6.10

	recommended conditions and informatives.	
Environmental Protection	No objections subject to informatives relating to dust control, smoke control and construction hours in the event of planning permission being recommended.	See paragraph 6.14
Flood Risk Engineer	The application form submitted states that the proposals will be drained via soakway; however no details have been submitted to show that this feasible. If soakaways are to be used, the applicant should undertake formal soakaway tests to the latest BRE Digest 365 guidance and standards to ensure that it is a feasible technique or another method will have to be used for surface water management Until further information is received, I recommend that the application is not approved on surface water drainage grounds.	See paragraph 6.13
Arboriculturist	Provided the tree protection measures are carried out in strict control with the submitted arboricultural report and supporting tree protection plan then no objections would be raised subject to the recommended conditions.	See paragraphs 6.11-6.12

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Layout drawing no P1228-01 rev: B.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have been successfully resolved subject to resolving the drainage issue.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
3. No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the

Local Planning Authority gives its prior written consent to any variation.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

4. No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
5. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written approval to any variation.
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme first agreed in writing by the Local Planning Authority, and retained in accordance with the approved details.
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.
7. No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the spaces approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in a forward gear. Relevant Policies - Local Plan P4 and DG1.

Informatives

1. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays.
2. The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
3. The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or

damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities